GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The Andhra Pradesh Tourism, Culture and Heritage Board Committees and Councils (Functions and Powers) Rules , 2016 - Orders - Issued.

YOUTH ADVANCEMENT TOURISM & CULTURE (T) DEPARTMENT

G.O.MS.No. 25 Dated: 06-12-2016
Read :

Andhra Pradesh Tourism, Culture and Heritage Board Ordinance, 2016.

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ORDER

The following notification shall be published in an Extraordinary issue of the Andhra Pradesh Gazette, dt.:06.12.2016 :

Notification

In exercise of the powers conferred under section 42 read with subsection (3) of section 4, subsection (3) of section 5 and subsection (1) of section 8 of the Andhra Pradesh Tourism, Culture and Heritage Board Ordinance, 2016 (Andhra Pradesh Ordinance 6 of 2016), the Government of Andhra Pradesh hereby makes the following rules:

PART I
PRELIMINARY

1. (1) These rules may be called the Andhra Pradesh Tourism, Culture and Heritage Board Committees and Councils (Functions and Powers) Rules, 2016.

(2) They shall extend to the whole of the State of Andhra Pradesh.

2. **Definitions.**

(1) In these rules, unless the context otherwise requires, —

(i) "council" means the local council constituted under the Ordinance;

(ii) "Ordinance" means the Andhra Pradesh Tourism, Culture and Heritage Board Ordinance, 2016**;**

(iii) "section" means a section under the Ordinance; and

(iv) "State Level Committee" means The Andhra Pradesh Tourism, Culture and Heritage Committee constituted under section 5 (3) of the Ordinance.

(2) Words and expressions used but not defined in these rules shall have the same meanings assigned to them in the Ordinance.

PART II
STATE LEVEL COMMITTEE

3. Functions of Andhra Pradesh Tourism Culture and Heritage Committee.

(1) The functions of the Andhra Pradesh Tourism Culture and Heritage Committee shall be as follows:-

(a) to facilitate integrated tourism planning involving various departments of Government;

(b) to address inter-departmental issues in connection with tourism development;

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(c) to coordinate and facilitate in matters such as land, roads, water supply, electricity, infrastructure issues, safety, security, regulatory issues, and any other matters which are essential and incidental to the development and promotion of tourism, relating to various departments of Government;

(d) to monitor the implementation of tourism infrastructure projects, incentives and concessions;

(e) to resolve issues relating to pending clearances of other departments of government for tourism development; and

(f) to handle matters entrusted by the Board/ Government.

4. Powers of State Level Committee.

(1) The following shall be the powers of State level Committee;

(a) to formulate infrastructure projects required for tourism development, which cut across various departments of Government;

(b) to issue directions to departments of Government in connection with the implementation of projects affecting tourism development;

(c) to examine proposals on delineation and notification of special tourism zones;

(d) to form sub-committees with secretaries to Government along with required experts; and

(e) to undertake any other activity incidental or necessary to further the interests of the Board, duly recording the reasons thereto.

PART III
EXECUTIVE COMMITTEE

5. Powers of Executive Committee.

The following shall be the powers of Executive Committee.

(a) to coordinate the activities and programs of all the authorities and constituent bodies formed under the Ordinance;

(b) to supervise and issue directions consistent with the Ordinance, to the Chief Executive Officers of Authorities or Commissions or bodies corporate formed under the Ordinance;

(c) to direct the Chief Executive Officer of authority/ commission/ constituent bodies to produce any extract from any of its proceedings or any other committee constituted under the Ordinance, record, correspondence or other document; or to furnish any return, plan, estimate, statement, account or statistics or to furnish or to obtain any report;

(d) to fix annual performance targets and review performance of authorities, commissions, bodies corporate, companies, special purpose vehicles or such other joint venture entities formed under the Ordinance or otherwise;

(e) to prepare policies/ guidelines/ standards cutting across different authorities;

(f) to take decisions with regard to matters of the Authorities/ Commissions/ constituent bodies/ officers on behalf of the Board and place before the Board in its next meeting for ratification;

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(g) to oversee implementation the decisions of the Board with regard to appointments of staff under sub-sections (1) (a) to (1) (c) of section 18 of the Ordinance;

(h) to exercise authority of the Board subject to its policy directives;

(i) to be responsible for the supervision, direction, control and administration of the affairs of the Board along with the management of the affairs and exercise full powers and authority to do all acts, matters, things and deeds necessary for the purpose of the Board;

(j) to make regulations relating to services, and governing the payments of traveling allowances and daily allowances to the members of the Board and staff and in all matters, things connected thereto;

(k) to perform all such acts and duties and exercise all such powers as may be delegated or assigned to it by the Board/ Government;

(l) to delegate any or all of its powers to any committee as may be deemed fit;

(m) Subject to the provisions of these regulations, to do any and all such other acts as may in its opinion be necessary for the proper management of the affairs of the society.

(n) to oversee preparation of annual work plan and budget of all Authorities/ Commissions/ bodies corporated constituted under the Ordinance;

(o) to scrutinise and present annual budget report and accounts of the Authorities/Commissions for the consideration of the Board;

(p) to accord sanction of expenditure to the Authorities/Commissions, in order to incur all expenditure as per annual budget approved by the Board subject to the regulations prescribed from time to time and policy directives of the Board;

(q) to approve the financial, staffing and such other proposals of the Authorities or Commissions;

(r) to engage experts or organizations, public or private, national or international, for assistance or advice upon payment of fees;

(s) to send any officer or employee of Authority or Commission or a Special Purpose Vehicle to another country for capacity building or collaboration or promotional activities and place before the Board in the subsequent meeting;

(t) to undertake any other activity incidental or necessary to further the interests of the Board, duly recording the reasons thereto;

(u) to sanction incentives for tourism projects;

(v) in the case of Public-Private-Partnership projects, the Executive Committee shall have the following powers.

[1] to direct an Authority or Commission to conceptualise projects, conduct feasibility studies, prepare detailed plans and designs, and select successful bidder through a fair and transparent process;

[2] to negotiate with a contracting party and resolve any dispute in connection with an Authority/ Commission/ body corporate;

[3] to direct an Authority or Commission to undertake joint development of land belonging to other departments of Government or other public bodies through appropriate project implementation arrangement; and

(w) to take any other decision or acts which are in consonance with the purposes of the Ordinance.

6. Powers of the Director General.

The following shall be the powers of the Director General:

(a) The Director General shall have powers to sanction expenditure up to five crore rupees to any Authority/ Commission, subject to any revision by the Board or Government from time to time;

(b) for purposes of functioning of the board, direct any Authority or Commission: to make remuneration/ payments to the members of the board, to hire and provide required staff, to provide office space, and to provide incidental office expenditure/ material supplies/ mobility/ office support;

(c) issue directions to the authorities or commissions or the constituent bodies or persons with regard to the implementation of any development project or scheme financed under the Ordinance, and any such authority or constituent body or person shall be bound to comply with such directions; notwithstanding anything contained in any other law for the time being in force, every such direction shall be complied with by the person to whom it is issued—,

Provided that if such person fails to carry out his directions, it shall be competent for the Director General to take necessary action to carry out the directions issued and recover expenses, if any incurred from the person/body concerned;

(d) to arrange for delegation of the powers of the Board vested to State Level Committee/ Executive Committee/ an authority/commission or an official(s) or any body corporate constituted under this Ordinance;

(e) to prepare or vet draft policies/ guidelines/ standards cutting across different authorities;

(f) to take decisions with regard to the functions of the Authorities/ Commissions and place before the Board in its next meeting for ratification;

(g) The Board, may by resolution delegate to Director General such of its powers for the conduct of business as it may deem fit; and such powers shall be exercised subject to the provisions of the regulations made and within the Budget Estimates approved by the Board from time to time; and

(h) to undertake any other activity incidental or necessary to further the interests of the Board, duly recording the reasons thereto.

7. Any matter directed to be placed before the Board may be carried out by circulation amongst such number of members as stipulated in First Schedule of the Ordinance, and any resolution so circulated and signed shall be effective and binding as if such resolution has been passed at a meeting of the Board.

PART IV
LOCAL COUNCILS

8. Functions of Local Councils.

The local councils shall perform the following functions, namely:

(a) Prepare annual work plan and budget of the council for submission to the respective authority/commission before 30th November of the preceeding year;

(b) Coordinate and facilitate in matters such as land, roads, water supply, electricity, infrastructure issues, safety, security, regulatory issues, and any other matters which are essential and incidental to the development and promotion of tourism, Telugu culture and creativity, and heritage, relating to various departments of Government within their jurisdiction;

(c) Identify lands belonging to Government or local bodies suitable for development of tourism projects in public or private or public-private-partnership sectors;

(d) Conceptualise tourism / culture/ heritage related projects in identified lands or in any land belonging to an authority/commission or in any specified area;

(e) Ensure transfer of Government land to the appropriate Authority/ Commission to undertake a project;

(f) Identify and select developers/ operators and ground the projects;

(g) Develop strategies for branding, tourism promotion and marketing of tourism projects of the district; Brand and promote destinations and places as part of tourism promotion; Conduct marketing campaigns of tourism products, services and projects (public or private) in national and international markets to attract tourists;

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(h) Prepare annual calendar of fairs and festivals in advance by giving wide publicity, and conduct fairs, festivals and events;
(i) Identify capacity building activities for local stakeholders, conduct training camps and increase the skill set and employability of local stakeholders;
(j) Identify potential Public Private Partnership projects, implement and monitor such projects;
(k) Administer the tourism incentive policy of the Government within their jurisdiction;
(l) Follow the guidelines issued by/ perform any other function entrusted by Board or Executive Committee from time to time; and

9. Powers of Local Councils.

The local councils shall have the following powers, namely,
(a) to sanction expenditure within the budget approved by an Authority/ Commission or Government for the financial year;
(b) to procure land on behalf of any authority or commission either through alienation or Right to Fair Compensation, Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 or negotiated settlement or by any other means;
(c) to allocate land identified for tourism projects on sale or lease basis either for government or private or public-private-partnership projects by following a fair and transparent procedure within the limits delegated by Board or Government;
(d) to engage consultants or consultant companies for carrying out the functions;
(e) to open a single bank account to receive and spend any funds received for carrying out the functions;
(f) to appoint required expert staff members on contract for periods not exceeding three years within their approved budget;
(g) to identify and declare any site having tourism potential duly indicating the boundaries of such land, and maintain a register of such declared tourism sites;
(h) to appoint an auditor for keeping the accounts under different heads and furnish annual audited statements to the Authority or Commission as the case may be; and
(i) to sanction incentives for tourism investments within the limits delegated by Board or Government.

10. Nomination of council members. -(1) The District Collector shall nominate the official members of the District Tourism council.
(2) The Municipal Commissioner shall nominate the official members of the City Tourism Council.

11. The Board may revise the assignment of functions and delegation of powers in these rules from time to time.

12. Any orders of Government currently in force, with regard to constitution and delegation of powers to District Tourism Councils/City Tourism Councils shall be deemed to have been issued under the Ordinance, to the extent that they are not inconsistent with the Ordinance.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SRIKANT NAGULAPALLI
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)

To
The Commissioner of Printing and Stationary, Stores and Purchase, Andhra Pradesh,
Vijayawada(with a request to publish the above notification in an Extraordinary issue of Andhra Pradesh Gazette immediately and arrange to furnish 500 copies to Govt.)
The Commissioner of Tourism, Andhra Pradesh.

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The Director of Culture, Andhra Pradesh, Vijayawada.
The Director of Archaeology and Museums, Andhra Pradesh ,Vijayawada
The Managing Director, Andhra Pradesh Tourism Development Corporation, Vijayawada.
Copy to:
The PS to Principal Secretary to Chief Minister, Andhra Pradesh.
The PS to Chief Secretary to Govt., Andhra Pradesh.
The PS to Principal Secretary to Govt., YAT&C Department, Andhra Pradesh.
The Accountant General, Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, Andhra Pradesh.
The Pay & Accounts Officer, Andhra Pradesh.
Finance (FMU-GAD.II, A&C) Department
Law (I) Department.
SF/SC

//FORWARDED BY :: ORDER//

SECTION OFFICER